

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA.

Plaintiff,

**V.**

FREDERICK ALLEN MCCORMICK,

Defendant.

8:04CR218

ORDER

Before the court is defendant's Motion to Continue Sentencing on Remand (Filing No. 75). The Eighth Circuit Court of Appeals has granted Appellant/Cross-Appellee Frederick McCormick's request for an extension of time until February 5, 2007, in which to file a petition for rehearing. Accordingly,

IT IS ORDERED that defendant's Motion to Continue Sentencing on Remand (Filing No. 75) is denied as premature. Defense counsel and the government's attorney are ordered to notify the court which all appeals have been exhausted and this case is ready to be scheduled for hearing with this court.

DATED this 17<sup>th</sup> day of January, 2007.

BY THE COURT:

**s/ Joseph F. Bataillon**  
Chief United States District Judge